
HOUSE BILL No. 1325

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-1-8-1; IC 4-30-6-5; IC 4-32-13-4; IC 23-1.5-1-5; IC 25-1-6; IC 25-4-2-8; IC 25-6.1; IC 25-7; IC 25-8; IC 25-9-1; IC 25-15-9-14; IC 25-21.5; IC 25-28.5-1; IC 25-30-1; IC 25-31-1; IC 25-34.1.

Synopsis: Repeal of Indiana professional licensing agency. Repeals the Indiana professional licensing agency. Gives the former licensing authority of the professional licensing agency to each regulated individual board or commission.

Effective: July 1, 2001.

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January 9, 2001, read first time and referred to Committee on Ways and Means.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1325

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 4-1-8-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) No individual may be
3 compelled by any state agency, board, commission, department,
4 bureau, or other entity of state government (referred to as "state
5 agency" in this chapter) to provide the individual's Social Security
6 number to the state agency against the individual's will, absent federal
7 requirements to the contrary. However, the provisions of this chapter
8 do not apply to the following:
9 (1) Department of state revenue.
10 (2) Department of workforce development.
11 (3) The programs administered by:
12 (A) the division of family and children;
13 (B) the division of mental health;
14 (C) the division of disability, aging, and rehabilitative services;
15 and
16 (D) the office of Medicaid policy and planning;
17 of the office of the secretary of family and social services.



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(4) Auditor of state.

(5) State personnel department.

(6) Secretary of state, with respect to the registration of broker-dealers, agents, and investment advisors.

(7) The legislative ethics commission, with respect to the registration of lobbyists.

(8) Indiana department of administration, with respect to bidders on contracts.

(9) Indiana department of transportation, with respect to bidders on contracts.

(10) Health professions bureau.

~~(11) Indiana professional licensing agency.~~

~~(12)~~ (11) Indiana department of insurance, with respect to licensing of insurance agents.

~~(13)~~ (12) A pension fund administered by the board of trustees of the public employees' retirement fund.

~~(14)~~ (13) The Indiana state teachers' retirement fund.

~~(15)~~ (14) The state police benefit system.

(b) The bureau of motor vehicles may, notwithstanding this chapter, require the following:

(1) That an individual include the individual's Social Security number in an application for an official certificate of title for any vehicle required to be titled under IC 9-17.

(2) That an individual include the individual's Social Security number on an application for registration.

(3) That a corporation, limited liability company, firm, partnership, or other business entity include its federal tax identification number on an application for registration.

(c) The Indiana department of administration, the Indiana department of transportation, the health professions bureau, and the Indiana professional licensing agency may require an employer to provide its federal employer identification number.

(d) The department of correction may require a committed offender to provide the offender's Social Security number for purposes of matching data with the Social Security Administration to determine benefit eligibility.

(e) The Indiana gaming commission may, notwithstanding this chapter, require the following:

(1) That an individual include the individual's Social Security number in any application for a riverboat owner's license, supplier's license, or occupational license.

(2) That a sole proprietorship, a partnership, an association, a



fiduciary, a corporation, a limited liability company, or any other business entity include its federal tax identification number on an application for a riverboat owner's license or supplier's license.

SECTION 2. IC 4-30-6-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. (a) The state police department shall provide:

(1) assistance in obtaining criminal history information relevant to investigations required for honest, secure, exemplary lottery operations; and

(2) any other assistance that may be requested by the director and agreed to by the superintendent of the state police department.

(b) Any other state agency, including the department of state revenue, ~~and the professional licensing agency~~, shall upon request provide the lottery commission with information relevant to an investigation conducted under this article. The commission shall reimburse an agency for the actual cost of providing assistance under this section.

SECTION 3. IC 4-32-13-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. (a) The state police department shall provide the following:

(1) Assistance in obtaining criminal history information relevant to investigations required for honest, secure, exemplary operations under this article.

(2) Any other assistance requested by the commissioner and agreed to by the superintendent of the state police department.

(b) Any other state agency, including the Indiana alcoholic beverage commission, ~~and the professional licensing agency~~, shall upon request provide the commissioner with information relevant to an investigation conducted under this article.

SECTION 4. IC 23-1.5-1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. "Bureau" means the following:

(1) In the case of an accounting professional, the Indiana ~~professional licensing agency established under IC 25-1-6-3:~~ **board of accountancy established under IC 25-2.1-2-1.**

(2) In the case of an architectural or engineering professional, the ~~Indiana professional licensing agency established under IC 25-1-6-3:~~ **board of registration.**

(3) In the case of an attorney, the state board of law examiners.

(4) In the case of a health care professional, the health professions bureau established under IC 25-1-5-3.

(5) In the case of a veterinarian, the health professions bureau

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established under IC 25-1-5-3.

(6) In the case of a real estate professional, the Indiana professional licensing agency established under IC 25-1-6-3: **real estate commission.**

SECTION 5. IC 25-1-6-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. As used in this chapter:

"Board" means any agency, board, advisory committee, or group included in section 3 of this chapter.

"Licensing agency" means the Indiana professional licensing agency created by section 3 of this chapter.

SECTION 6. IC 25-1-6-3, AS AMENDED BY P.L.82-2000, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. (a) ~~There is established the Indiana professional licensing agency. The licensing agency~~ **Each board listed in this section** shall perform all administrative functions, duties, and responsibilities assigned by law or rule to the executive director, secretary, or other statutory administrator of the following:

- (1) Indiana board of accountancy (IC 25-2.1-2-1).
- (2) Board of registration for architects and landscape architects (IC 25-4-1-2).
- (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- (4) State board of barber examiners (IC 25-7-5-1).
- (5) State boxing commission (IC 25-9-1).
- (6) State board of cosmetology examiners (IC 25-8-3-1).
- (7) State board of funeral and cemetery service (IC 25-15-9).
- (8) State board of registration for professional engineers (IC 25-31-1-3).
- (9) Indiana plumbing commission (IC 25-28.5-1-3).
- (10) Indiana real estate commission (IC 25-34.1).
- ~~(11) Until July 1, 1996, Indiana State board of television and radio service examiners (IC 25-36-1-4).~~
- ~~(12)~~ **(11)** Real estate appraiser licensure and certification board (IC 25-34.1-8-1).
- ~~(13)~~ **(12)** Private detectives licensing board (IC 25-30-1-5.1).
- ~~(14)~~ **(13)** State board of registration for land surveyors (IC 25-21.5-2-1).

~~(b) Nothing in this chapter may be construed to give the licensing agency policy making authority, which remains with each board.~~

SECTION 7. IC 25-1-6-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. (a) ~~The licensing agency~~ **Each board** shall employ necessary staff, including specialists and professionals, to carry out the administrative duties and functions of the

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boards, including but not limited to:

- (1) notice of board meetings and other communication services;
- (2) recordkeeping of board meetings, proceedings, and actions;
- (3) recordkeeping of all persons or individuals licensed, regulated, or certified by a board;
- (4) administration of examinations; and
- (5) administration of license or certificate issuance or renewal.

(b) In addition, ~~the licensing agency~~ **each board**:

- (1) shall prepare a consolidated statement of the budget requests of all the boards in section 3 of this chapter;
- (2) may coordinate licensing or certification renewal cycles, examination schedules, or other routine activities to efficiently utilize ~~licensing agency~~ **board** staff, facilities, and transportation resources, and to improve accessibility of board functions to the public; ~~and~~
- (3) may consolidate, where feasible, office space, recordkeeping, and data processing services; **and**
- (4) shall, upon written request, furnish at cost to any person a list of the names and addresses of persons holding a license or permit issued by ~~one (1) of the boards listed in section 3 of this chapter.~~ **the board.**

(c) In administering the renewal of licenses or certificates under this chapter, ~~the licensing agency~~ **each board** shall issue a sixty (60) day notice of expiration to all holders of a license or certificate. The notice shall be accompanied by appropriate renewal forms.

SECTION 8. IC 25-1-6-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. (a) ~~The bureau and the boards~~ **Each board** may allow the department of state revenue access to the name of each person who:

- (1) is licensed under this chapter; or
- (2) has applied for a license under this chapter.

(b) If the department of state revenue notifies the bureau that a person is on the most recent tax warrant list, the bureau may not issue or renew the person's license until:

- (1) the person provides to the bureau a statement from the department of revenue that the person's delinquent tax liability has been satisfied; or
- (2) the bureau receives a notice from the commissioner of the department of state revenue under IC 6-8.1-8-2(k).

SECTION 9. IC 25-4-2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. (a) The board shall set the fees for issuance of a certificate of registration to a landscape architect and

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for the biennial renewal of registration. The fee for registration and for renewal of registration must be based upon the administrative costs of registering and regulating landscape architects. This fee must include the costs for:

- (1) office facilities, supplies, and equipment; and
- (2) clerical assistance.

(b) All fees collected under this chapter shall be paid by the ~~Indiana professional licensing agency~~ **board** to the treasurer of state who shall deposit them in the general fund of the state.

SECTION 10. IC 25-6.1-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. As used in this article:

"Auction" means a sale transaction conducted by means of oral or written exchanges between an auctioneer and the members of his audience, which exchanges consist of a series of invitations for offers for the purchase of goods or real estate made by the auctioneer and offers to purchase made by members of the audience and culminate in the acceptance by the auctioneer of the highest or most favorable offer made by a member of the participating audience.

"Auction company" means any person or persons who, as a part of its business, arranges, manages, sponsors, advertises, or carries out auctions.

"Auction house" means an established place of business including an auction barn, a sale barn, and a sale pavilion and its contiguous surroundings where two (2) or more auctions are held within any twelve (12) month period and where representations are regularly made that goods are sold at auction. Each day during which goods or real estate are being offered for sale at auction shall constitute one (1) auction. A sale barn or livestock auction market that is used exclusively for the auctioning of livestock and is licensed by the Indiana state board of animal health is not an auction house as defined herein.

"Auctioneer" means an individual who is engaged in, or who by advertising or otherwise holds himself out as being available to engage in, the calling for, the recognition of, and the acceptance of offers for the purchase of goods or real estate at an auction.

"Commission" means the Indiana auctioneer commission.

"Goods" means any goods, wares, chattels, merchandise, or other personal property, including domestic animals and farm products.

"Licensee" means any person licensed or issued a temporary permit under this article and, in the case of an auction house or auction company, includes the person required to obtain a license for such auction house or auction company.

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"Organization" means a corporation, a limited liability company, a partnership, a trust (specifically including a business trust), a firm, an association, or any other form of business enterprise which is owned by two (2) or more individuals.

"Person" means an organization or an individual.

"Real estate" means any right, title, or interest in real property, including fixtures.

~~"Licensing agency" means the Indiana professional licensing agency established under IC 25-1-6.~~

SECTION 11. IC 25-6.1-2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. (a) At the meeting to be held each January, the commission shall elect from its membership a chairman and a vice chairman. Each officer shall serve for a term of one (1) year and until his successor is elected.

(b) The chairman shall preside at all meetings of the commission.

(c) The vice chairman shall act as presiding officer in the absence of the chairman and shall perform such other duties as the chairman may direct.

(d) The commission shall ~~be provided with~~ **appoint** an executive secretary. ~~by the licensing agency.~~ The person ~~provided~~ **appointed** may not be a member of the commission.

(e) The executive secretary ~~through the licensing agency~~ shall:

(1) notify all members of meetings;

(2) keep a record of all meetings of the commission, votes taken by the commission, and other proceedings, transactions, communications, official acts, and records of the commission; and

(3) perform other duties as the chairman directs.

SECTION 12. IC 25-6.1-2-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. (a) The commission is empowered to do the following:

(1) Administer and enforce the provisions of this article.

(2) Adopt such rules in accordance with IC 4-22-2 and such forms as are necessary or appropriate for the administration and the effective and efficient enforcement of this article.

(3) Issue, suspend, and revoke licenses in accordance with this article.

(4) Subject to IC 25-1-7, investigate complaints concerning licensees or persons the commission has reason to believe should be licensees, specifically including complaints respecting failure to comply with this article or the rules, and to take appropriate action pursuant to IC 25-1-11.

(5) Bring actions, in the name of the state of Indiana, in an

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appropriate circuit court in order to enforce compliance with this article or the rules by restraining order or injunction.

(6) Hold public hearings on any matters for which a hearing is required under this article and to have all powers granted in IC 4-21.5.

(7) Adopt a seal and, through its secretary, certify copies.

(b) The ~~licensing agency~~ **commission** shall provide necessary employees and consultants to enforce this article.

(c) The commission shall adopt rules under IC 4-22-2 establishing the following:

(1) Standards for competent:

(A) practice as an auctioneer; and

(B) operation of an auction company or auction house.

(2) Continuing education requirements for an individual who has reactivated an auctioneer license with less than twelve (12) months remaining in the licensing period.

SECTION 13. IC 25-7-4-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. "License" means a document issued by ~~the agency and~~ the board to permit a person to engage in an activity regulated under this article.

SECTION 14. IC 25-7-5-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 17. The ~~agency~~ **board** shall do the following:

(1) ~~Furnish the board with~~ **Maintain** suitable quarters to conduct the board's business.

(2) Maintain a record of:

(A) the proceedings of the board;

(B) each person licensed under this article, including the person's name and address;

(C) the licenses issued under this article, including the:

(i) number assigned to the license by the ~~agency;~~ **board;**

(ii) date the license was issued; and

(iii) actions taken by the board concerning the license, including any renewal, suspension, or revocation; and

(D) rejected applications for a license under this article.

SECTION 15. IC 25-8-2-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 11. "License" means a document issued by the ~~agency and the~~ board to permit a person to engage in an activity regulated under this article.

SECTION 16. IC 25-8-3-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 14. The ~~agency~~ **board** shall ~~furnish the board with~~ **maintain** suitable quarters to conduct its

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SECTION 17. IC 25-8-3-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 16. The **agency board** shall maintain a record of:

- (1) the proceedings of the board;
- (2) each person licensed under this article, stating the:
 - (A) name of the person; and
 - (B) address of the person;
- (3) licenses issued under this article, stating the:
 - (A) number assigned to the license by the **agency board**;
 - (B) date the license was issued; and
 - (C) actions taken by the board concerning the license, including any renewal, suspension, and revocation; and
- (4) applications for a license under this article that were refused.

SECTION 18. IC 25-8-3-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 18. All money received under this article shall be paid to the **agency board**.

SECTION 19. IC 25-8-3-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 19. The **agency board** shall deposit all money received under this article with the treasurer of state.

SECTION 20. IC 25-8-3-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 21. The **agency board** shall pay for the expenses for administering this article from the state general fund under appropriations designated for that purpose.

SECTION 21. IC 25-8-3-24 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 24. The **agency board** shall provide inspectors, investigators, and clerks to enforce this article. The **agency board** shall fix their compensation and reimburse them for their necessary expenses incurred in enforcing this article by payments from the state general fund under appropriations designated for that purpose.

SECTION 22. IC 25-9-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. (a) The **Indiana professional licensing agency commission** may appoint and remove deputies for use by the commission. The commission shall, when the commission considers it advisable, direct a deputy to be present at any place where sparring or boxing matches, semiprofessional elimination contests, or exhibitions are to be held under this chapter. The deputies shall ascertain the exact conditions surrounding the match, contest, or exhibition and make a written report of the conditions in the manner and form prescribed by the commission.



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(b) The ~~licensing agency~~ **commission** may appoint and remove a secretary for the commission, who shall:

- (1) keep a full and true record of all the commission's proceedings;
- (2) preserve at its general office all the commission's books, documents, and papers;
- (3) prepare for service notices and other papers as may be required by the commission; and
- (4) perform other duties as the ~~licensing agency~~ **commission** may prescribe.

The ~~licensing agency~~ **commission** may employ only such clerical employees as may be actually necessary and fix their salaries as provided by law.

(c) Each commissioner shall be reimbursed for all actual and necessary traveling expenses and disbursements incurred by them in the discharge of their official duties. All reimbursements for traveling expenses shall be in accordance with travel policies and procedures established by the Indiana department of administration and the budget agency. All expenses incurred in the administration of this chapter shall be paid from the general fund upon appropriation being made for the expenses.

SECTION 23. IC 25-9-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. The commission shall maintain offices for the transaction of its business in the city of Indianapolis, ~~Indiana, and may, with the approval of the Indiana professional licensing agency (IC 25-1-6), and may~~ incur the necessary expense for rent, office furniture, stationery, printing, and other incidental expense.

SECTION 24. IC 25-9-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. (a) The commission may:

- (1) ~~cause to be issued by the Indiana professional licensing agency~~ **issue** under the name and seal of the state boxing commission, an annual license in writing for holding boxing or sparring matches, semiprofessional elimination contests, or exhibitions to any person who is qualified under this chapter; and
- (2) adopt rules to establish the qualifications of the applicants.

(b) In addition to the general license, a person must, before conducting any particular boxing or sparring match, semiprofessional elimination contest, or exhibition where one (1) or more contests are to be held, obtain a permit from the state boxing commission.

(c) Annual licenses may be revoked by the commission upon



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1 hearing and proof that any holder of an annual license has violated this
2 chapter or any rule or order of the commission.

3 (d) A person who conducts a boxing or sparring match,
4 semiprofessional elimination contest, or exhibition without first
5 obtaining a license or permit commits a Class B misdemeanor.

6 SECTION 25. IC 25-9-1-7 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. (a) Applications for
8 licenses or permits to conduct a boxing or sparring match,
9 semiprofessional elimination contest, or exhibition shall be:

10 (1) made in writing upon forms prescribed by the state boxing
11 commission and shall be addressed to and filed with the ~~Indiana~~
12 ~~professional licensing agency~~ **state boxing commission**; and

13 (2) verified by the applicant, if an individual, or by some officer
14 of the club, corporation, or association in whose behalf the
15 application is made.

16 (b) The application for a permit to conduct a particular boxing or
17 sparring match, semiprofessional elimination contest, or exhibition,
18 shall, among other things, state:

19 (1) the time and exact place at which the boxing or sparring
20 match, semiprofessional elimination contest, or exhibition is
21 proposed to be held;

22 (2) the names of the contestants who will participate and their
23 seconds;

24 (3) the seating capacity of the buildings or the hall in which such
25 exhibition is proposed to be held;

26 (4) the admission charge which is proposed to be made;

27 (5) the amount of the compensation percentage of gate receipts
28 which is proposed to be paid to each of the participants;

29 (6) the name and address of the person making the application;

30 (7) the names and addresses of all the officers if the person is a
31 club, a corporation, or an association; and

32 (8) the record of each contestant from a source approved by the
33 commission.

34 (c) The commission shall ~~cause to be kept by the licensing agency~~
35 **keep** proper records of the names and addresses of all persons
36 receiving permits and licenses.

37 SECTION 26. IC 25-9-1-19 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 19. (a) No contestant
39 shall be permitted to participate in any boxing or sparring match,
40 semiprofessional elimination contest, or exhibition unless duly
41 registered and licensed with the state boxing commission, which
42 license must be renewed biennially. The license fee and the renewal fee

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1 shall not be less than five dollars (\$5) paid at the time of the
2 application for the license or renewal.

3 (b) Any person who desires to be registered and licensed as a
4 contestant shall file an application in writing with the ~~Indiana~~
5 ~~professional licensing agency~~; **state boxing commission**, which
6 application shall, among other things, state:

- 7 (1) the correct name of the applicant;
- 8 (2) the date and place of the applicant's birth;
- 9 (3) the place of the applicant's residence; and
- 10 (4) the applicant's employment, business, or occupation, if any.

11 The application must be verified under oath of the applicant.
12 Application for renewal license shall be in similar form.

13 (c) No assumed or ring names shall be used in any application nor
14 in any advertisement of any contest, unless the ring or assumed name
15 has been registered with the commission with the correct name of the
16 applicant.

17 (d) Each application for license by a contestant or for a license
18 renewal must be accompanied by the certificate of a physician residing
19 within Indiana, who has been licensed as provided in this article, and
20 has practiced in Indiana for not less than five (5) years, certifying that
21 the physician has made a thorough physical examination of the
22 applicant, and that the applicant is physically fit and qualified to
23 participate in boxing or sparring matches or exhibitions.

24 SECTION 27. IC 25-9-1-20 IS AMENDED TO READ AS
25 FOLLOWS[EFFECTIVE JULY 1, 2001]: Sec. 20. (a) The commission
26 shall, upon application, ~~to the Indiana professional licensing agency~~;
27 grant licenses to competent referees and judges whose qualifications
28 may be tested by the commission, and the commission may revoke any
29 such license granted to any referee or judge upon such cause as the
30 commission may deem sufficient. Such license must be renewed
31 biennially. No person shall be permitted to act as referee or judge in
32 Indiana unless holding such license.

33 (b) The application for license as referee, or renewal thereof, shall
34 be accompanied by a fee which shall not be less than twenty-five
35 dollars (\$25).

36 (c) The commission shall appoint from among such licensed
37 officials, all officials for all contests held under this chapter.

38 SECTION 28. IC 25-9-1-22, AS AMENDED BY P.L.113-1999,
39 SECTION 16, IS AMENDED TO READ AS FOLLOWS[EFFECTIVE
40 JULY 1, 2001]: Sec. 22. (a) Every person, club, corporation, firm, or
41 association which may conduct any match or exhibition under this
42 chapter shall, within twenty-four (24) hours after the termination

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thereof:

(1) furnish to the ~~Indiana professional licensing agency by mail~~
state boxing commission, a written report duly verified by that
person or, if a club, corporation, firm, or association, by one (1)
of its officers, showing the amount of the gross proceeds for the
match or exhibition, and other related matters as the commission
may prescribe; and

(2) pay a tax of five percent (5%) of the price of admission
collected from the sale of each admission ticket to the match or
exhibition, which price shall be a separate and distinct charge and
shall not include any tax imposed on and collected on account of
the sale of any such ticket. Money derived from such state tax
shall be deposited in the state general fund.

(b) Before any license shall be granted for any boxing or sparring
match, semiprofessional elimination contest, or exhibition in this state,
a bond or other instrument that provides financial recourse must be
provided to the state boxing commission. The instrument must be:

(1) in an amount determined by the commission;

(2) approved as to form and sufficiency of the sureties thereon by
the commission;

(3) payable to the state of Indiana; and

(4) conditioned for the payment of the tax imposed, the officials
and contestants, and compliance with this chapter and the valid
rules of the commission.

SECTION 29. IC 25-9-1-22.5 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 22.5. (a) Every person,
club, corporation, firm, or association holding or showing any boxing
or sparring matches on a closed circuit telecast, pay per view telecast,
or subscription television viewed within Indiana, whether originating
within Indiana or another state, shall furnish the ~~Indiana professional
licensing agency~~ **state boxing commission** with a written report, under
oath, stating the amount of gross proceeds thereof, and such other
matter as the commission may prescribe, and shall, within seventy-two
(72) hours after the showing of the contest, pay a tax of five percent
(5%) of its total gross receipts for the showing of the boxing or sparring
match. Money derived from such state tax shall be placed in the state
general fund.

(b) This section does not apply to a showing occurring at a private
residence.

SECTION 30. IC 25-9-1-28 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 28. All fees received
by the ~~Indiana professional licensing agency (IC 25-1-6)~~ on behalf of



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1 ~~the~~ commission under the provisions of this chapter shall be paid to the
 2 state treasurer to be placed by ~~him~~ **the treasurer** in the general fund of
 3 the state.

4 SECTION 31. IC 25-15-9-14 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 14. The ~~Indiana~~
 6 ~~professional licensing agency board~~ shall collect all fees required
 7 under this article and gifts received by the board and at the end of each
 8 month shall do the following:

9 (1) Report amounts collected to the auditor of state.

10 (2) Transfer amounts collected to the treasurer of state for deposit
 11 as follows:

12 (A) An amount established by the board and not exceeding
 13 five dollars (\$5) per license issued under this article in the
 14 funeral service education fund.

15 (B) Gifts dedicated to the funeral service education fund in
 16 that fund.

17 (C) The remainder, after deducting the amounts described in
 18 clause (A) or (B), in the state general fund.

19 SECTION 32. IC 25-21.5-1-9 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. "Secretary" ~~has the~~
 21 ~~meaning under IC 25-1-6-5(c):~~ **means the executive director or any**
 22 **other statutory term for the administrative officer or designee of**
 23 **a board or commission listed in IC 25-1-6.**

24 SECTION 33. IC 25-21.5-3-1 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. The ~~licensing agency~~
 26 ~~shall provide the board with~~ **shall appoint** a competent person to serve
 27 as secretary of the board. The secretary may not be a member of the
 28 board. The secretary ~~through the licensing agency~~ shall keep a
 29 complete and accurate record of all proceedings of the board and
 30 perform any other duties assigned by the board.

31 SECTION 34. IC 25-21.5-3-2 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. The ~~licensing agency~~
 33 ~~shall provide the board~~ **shall hire** clerical or other assistants, including
 34 investigators, that are necessary for the proper performance of the
 35 board's duties.

36 SECTION 35. IC 25-21.5-3-3 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. ~~The licensing agency~~
 38 ~~may assign~~ Joint personnel ~~to~~ **may** work for both the board and the
 39 state board of registration for professional engineers.

40 SECTION 36. IC 25-28.5-1-2 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. As used in this
 42 chapter:

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(1) "Plumbing" means the practice of and the materials and fixtures used in the installation, maintenance, extension, and alteration of all piping, fixtures, appliances, and appurtenances in connection with any of the following:

(A) Sanitary drainage or storm drainage facilities, the venting system, and the public or private water supply systems, within or adjacent to any building or structure.

(B) The practice and materials used in the installation, maintenance, extension, or alteration of the stormwater, liquid waste, or sewerage, and water supply systems of any premises to the private property line or to their connection with any point of public disposal or other acceptable terminal.

The term does not include the planning, designing, and installation of sanitation and water systems in vehicles commonly known as mobile homes, the drilling of wells, the installation of pumps, pressure tanks, and piping incidental to the drilling or repair of a well system, the sale or installation of water softening equipment and apparatuses and services of the same, or the business of manufacturing or selling plumbing fixtures; appliances, equipment, or hardware; the installation of automatic sprinklers, the overhead or underground water supplies or standpipes when connected to an automatic sprinkler system or to their related devices or appurtenances connecting thereto; nor does the term include the work referred to in section 32(i) of this chapter; nor does the term include the planning or design of water supply or sewage systems which would ordinarily be performed as "the practice of engineering", as defined in IC 25-31-1, or the "practice of architecture", as defined in IC 25-4-1.

(2) "Plumbing contractor" means any person who, for compensation, undertakes to, or submits a bid to, or does himself or by others, construct, repair, alter, remodel, add to, subtract from, or improve plumbing and who is responsible for substantially all the plumbing within the entire project, or one who fabricates units or plumbing substantially completed and ready for installation.

(3) "Journeyman plumber" means a person who engages or offers to engage in, as an occupation or trade, the construction, installation, alteration, maintenance, repair, remodeling, or removal and replacement of plumbing under the supervision, direction, and responsibility of a licensed plumbing contractor.

(4) "Maintenance man" means a person who is employed on a permanent basis to keep the premises of a business establishment in good repair.

(5) "Contracting" means, except as exempted in this chapter,

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engaging in a business as a contractor.

(6) "Person" means a natural person, except in the case of a plumbing contractor, in which case it may mean the partners or members of a partnership, limited partnership, or any form of unincorporated enterprise, owned by two (2) or more persons, and as applied to "corporation" in addition to the corporate entity means the officers or directors and employees thereof.

(7) "Commission" means the Indiana plumbing commission created by this chapter.

(8) "License" means a certificate issued by the commission established by this chapter which confers upon the holder the privilege to act as a plumbing contractor or a journeyman plumber as defined in this chapter.

(9) "Farmstead" means a farm dwelling together with other buildings, structures, equipment, piping, and other plumbing materials and supplies, located upon a parcel of real estate used primarily for agricultural purposes located outside the corporate limits of a municipality and not connected to a public water supply.

~~(10) "Licensing agency" means the Indiana professional licensing agency established under IC 25-1-6.~~

~~(11)~~ (10) "Apprentice plumber" means an individual who:

(A) is learning the plumbing trade; and

(B) is under the direction and immediate supervision of a licensed plumbing contractor or a licensed journeyman plumber.

~~(12)~~ (11) "Registration" means the granting of a certificate by the commission that authorizes an individual to act as an apprentice plumber.

SECTION 37. IC 25-28.5-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. The commission shall annually organize and select one (1) of the members as chairman and one (1) of the members to serve as secretary, both to serve for a term of one (1) year. The commission ~~through the licensing agency,~~ shall keep a record of all its proceedings, transactions, communications, official acts, and records and shall perform said other duties as required by law.

SECTION 38. IC 25-28.5-1-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. The commission may:

(1) Adopt and promulgate rules and regulations for its guidance and for the regulation of its business and procedure consistent with the provisions of this chapter and in the manner provided in IC 4-22-2.

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(2) Enter into such other contracts and authorize expenditures as its duties require, subject to the provisions of this chapter. ~~and IC 25-1-6.~~

~~(4)~~ (3) Do all things necessary for carrying into effect the provisions of this chapter.

SECTION 39. IC 25-28.5-1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) The department of administration shall provide office space, furniture, and necessary supplies and the office files, records, and property of the commission.

(b) ~~The licensing agency shall provide the board with~~ **shall hire the** employees necessary to administer the provisions of this chapter.

SECTION 40. IC 25-30-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. As used in this chapter:

(1) "Person" means an individual, a firm, a company, an association, an organization, a partnership, or a corporation.

(2) "Licensee" means a person licensed under this chapter.

(3) "Private detective" means a person who conducts a private detective business with or without the assistance of an employee.

(4) "Private detective business" means the business of:

(A) making, for hire or reward, investigation or investigations for the purpose of obtaining information with reference to:

(i) a crime against the state or wrongs done or threatened;

(ii) the habits, conduct, movements, whereabouts, association, transactions, reputation, or character of a person;

(iii) credibility of witnesses or other persons;

(iv) the location or recovery of lost or stolen property;

(v) the causes, origin, or responsibility for fires or accidents or injuries to real or personal property; or

(vi) the truth or falsity of a statement or representation;

(B) securing, for hire or reward, evidence to be used for authorized investigation committees or boards of award or arbitration or in the trial of civil or criminal cases; or

(C) furnishing, for hire or reward, a guard or guards or other persons to protect persons or property or to prevent the misappropriation or concealment of goods, wares and merchandise, money, bonds, stocks, choses in action, notes, or other valuable documents or papers.

(5) "Industrial plant" means a factory, business, or concern that is engaged primarily in the manufacture or assembly of goods or the processing of raw materials, or both.

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(6) "Board" refers to the private detectives licensing board established under section 5.1 of this chapter.

~~(7) "Licensing agency" refers to the Indiana professional licensing agency established under IC 25-1-6.~~

~~(8)~~ (7) "Resident" means a person who has established an actual domicile in Indiana.

SECTION 41. IC 25-30-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. The ~~licensing agency~~ **board** shall ~~assist the board by performing~~ **perform** administrative functions under this chapter.

SECTION 42. IC 25-30-1-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 17. (a) The board shall charge and ~~the licensing agency shall~~ collect the following private detective license fees:

(1) For issuance or renewal of a private detective license, a fee of one hundred fifty dollars (\$150).

(2) For identification cards for unlicensed employees issued under section 10(d) of this chapter, a fee of:

(A) ten dollars (\$10); or

(B) five dollars (\$5) if application for the identification card is made in the second year of the licensee's license.

(3) For reinstatement of a license referred to in section 16(c) of this chapter, a delinquent fee of seventy-five dollars (\$75).

(b) All fees collected under this chapter shall go into the general fund and shall be accounted for by the ~~licensing agency~~ **board**.

(c) A license fee shall not be refunded unless a showing is made of ineligibility to receive the license by failure to meet the requirements of this chapter, or by a showing of mistake, inadvertence, or error in the collection of the fee.

SECTION 43. IC 25-31-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. As used in this chapter:

(a) "Board" means the state board of registration for professional engineers.

(b) "Professional engineer" means an individual who, by reason of that individual's special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design which are acquired by education and practical experience, is qualified to engage in the practice of engineering as attested by that individual's registration as a professional engineer.

(c) "Engineering intern" means an individual who:

(1) is a graduate from an approved engineering curriculum of four

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(4) years or more or who has acquired, through engineering education and experience in engineering work, knowledge and skill approximating that obtained by graduation in an approved engineering curriculum of four (4) years or more;

(2) has successfully passed an examination as prescribed in section 14 of this chapter; and

(3) has been issued by the board an appropriate certificate of enrollment as an engineering intern.

(d) "Practice of engineering" means any service or creative work that the adequate performance of requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to services or creative work that includes the following:

(1) Consultation.

(2) Investigation.

(3) Evaluation.

(4) Planning, including planning the use of land and water.

(5) The design of or the supervision of the design of engineering works and systems.

(6) Engineering surveys and studies or the supervision of engineering surveys and studies, including all surveying activities required to support the sound conception, planning, design, construction, maintenance, and operation of engineered projects, but not including the surveying of real property for the establishment of land boundaries, subdivisions, rights-of-way, easements, and the dependent or independent surveys or resurveys of the public land survey system.

(7) Evaluation of construction for the purpose of assuring compliance with specifications, plans, and designs, in connection with any public or private utilities, structures, buildings, machines, equipment, processes, work systems, or projects.

The term "practice of engineering" does not include the work ordinarily performed by persons who operate or maintain machinery or equipment.

(e) "Approved engineering curriculum" means an engineering curriculum of four (4) years or more that has been approved by the board. In approving the engineering curriculum, the board may take into consideration the standards of accreditation adopted by the Accreditation Board for Engineering and Technology.

(f) "Practice or offer to practice engineering" means the act of an individual or a business who by verbal claim, sign, advertisement, letterhead, card, telephone listing, or in any other way represents the

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individual or the business to be a professional engineer or who performs, or offers to perform, any acts or work involving the practice of engineering.

(g) "Licensing agency" means the Indiana professional licensing agency established under IC 25-1-6.

SECTION 44. IC 25-31-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. (a) The licensing agency shall provide the board with a shall appoint a competent individual to serve as secretary of the board. The secretary may not be a member of the board. The secretary through the licensing agency, shall keep a true and complete record of all proceedings of the board and perform any other duties, prescribed in this chapter, as may be assigned by the board.

(b) The board shall be provided by the licensing agency hire whatever clerical or other assistants, including investigators, as may be necessary for the proper performance of its duties.

(c) The licensing agency may assign Joint personnel to may work for both the board and the state board of registration for land surveyors.

SECTION 45. IC 25-31-1-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. The licensing agency board shall receive and account for all money collected under the provisions of this chapter and shall deposit the money with the treasurer of state to be deposited by the treasurer of state in the general fund of the state.

SECTION 46. IC 25-31-1-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 15. (a) The board shall issue a certificate of registration, upon the payment of the fee prescribed in this chapter, to any applicant who, in the opinion of the board, has satisfactorily met all requirements of this chapter. In the case of a professional engineer, the certificate shall authorize the practice of "professional engineering". The certificate of registration shall:

- (1) show the full name of the registrant;
- (2) bear a serial number and date; and
- (3) be signed by each member under the seal of the board.

The issuance of any certificate of registration by the board under this chapter is evidence that the individual named on the certificate is entitled to all the rights and privileges of a registered professional engineer from the date on the certificate until it expires or is revoked.

(b) The board shall issue a certificate of enrollment upon the payment of the certificate fee prescribed in this chapter to any applicant who, in the opinion of the board, has satisfactorily met all of the

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requirements of this chapter. In the case of an engineering intern, the certificate shall state that the applicant has successfully passed the examination in engineering fundamentals and has been enrolled as an engineering intern. The certificate of enrollment shall:

- (1) show the full name of the enrollee;
- (2) bear a serial number and date; and
- (3) be signed by the director. ~~of the licensing agency.~~

The issuance of a certificate of enrollment by the board is evidence that the individual named on the certificate is entitled to all the rights and privileges of an engineering intern while the certificate remains unrevoked or until it expires.

SECTION 47. IC 25-34.1-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. As used in this article:

"Person" means an individual, a partnership, a corporation, or a limited liability company.

"Commission" means the Indiana real estate commission.

"Real estate" means any right, title, or interest in real property.

"Broker" means a person who, for consideration, sells, buys, trades, exchanges, options, leases, rents, manages, lists, or appraises real estate or negotiates or offers to perform any of those acts.

"Salesperson" means an individual, other than a broker, who, for consideration and in association with and under the auspices of a broker, sells, buys, trades, exchanges, options, leases, rents, manages, or lists real estate or negotiates or offers to perform any of those acts.

"Broker-salesperson" means an individual broker who is acting in association with and under the auspices of another broker.

"Principal broker" means a broker who is not acting as a broker-salesperson.

"License" means a broker or salesperson license issued under this article and which is not expired, suspended, or revoked.

"Licensee" means a person who holds a license issued under this article. The term does not include a person who holds a real estate appraiser license or certificate issued under the real estate appraiser licensure and certification program established under IC 25-34.1-3-8.

"Course approval" means approval of a broker or salesperson course granted under this article which is not expired, suspended, or revoked.

~~"Licensing agency" means the Indiana professional licensing agency established by IC 25-1-6-3.~~

"Board" refers to the real estate appraiser licensure and certification board established under IC 25-34.1-8-1.

SECTION 48. IC 25-34.1-2-2 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) The commission
 2 shall elect from its membership a chairman and a vice chairman. The
 3 chairman and vice chairman shall serve in that capacity for one (1) year
 4 and until a successor is elected. The chairman and vice chairman may
 5 serve consecutively no more than two (2) terms in that capacity. The
 6 chairman shall preside at all meetings. The vice chairman shall preside
 7 at meetings in the absence of the chairman and shall perform other
 8 duties as the chairman may direct.

9 (b) ~~The licensing agency shall provide to the~~ commission **shall hire**
 10 an executive director. The executive director may not be a member of
 11 the commission. The executive director shall:

- 12 (1) provide reasonable notice to all commission members of the
- 13 time and place of each meeting;
- 14 (2) keep a record of all meetings, of all votes taken by the
- 15 commission, and of all other proceedings, transactions,
- 16 communications, official acts, and records of the commission;
- 17 (3) keep a current file of all licenses and licensees; and
- 18 (4) perform any other duties which the commission may
- 19 prescribe.

20 SECTION 49. THE FOLLOWING ARE REPEALED [EFFECTIVE
 21 JULY 1, 2001]: IC 25-1-6-1; IC 25-1-6-5; IC 25-1-6-6; IC 25-7-4-2;
 22 IC 25-8-2-2; IC 25-21.5-1-6.

23 SECTION 50. [EFFECTIVE JULY 1, 2001] (a) **On July 1, 2001,**
 24 **all records and property of the Indiana professional licensing**
 25 **agency shall be transferred to the state department of**
 26 **administration. The department may distribute the records to the**
 27 **appropriate board or commission.**

28 (b) This SECTION expires January 1, 2002.

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